

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TERRY BROOKS	:	CIVIL ACTION NO. 1:10-CV-2006
	:	
Plaintiff	:	(Chief Judge Kane)
	:	(Magistrate Judge Smyser)
v.	:	
	:	
LT. GOSS, SGT. MCELWAIN,	:	
C/O SPIELES, C/O WEIS,	:	
C/O CLARK, C/O TROUTMAN and	:	
NURSE DOE	:	
	:	
Defendants	:	

ORDER

Before the Court in the above-captioned action is an April 18, 2011 report of the Magistrate Judge. No timely objections have been filed.

AND NOW, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the report and recommendation of Magistrate Judge Smyser.
- 2) Defendant Nurse Doe is **DISMISSED** from this case pursuant to Fed.R.Civ.P. 4(m).
- 3) The case is **REMANDED** to Magistrate Judge Smyser for further proceedings.

S/ Yvette Kane
YVETTE KANE, Chief Judge
United States District Court
Middle District of Pennsylvania

Dated: May 9, 2011